Attorney's Docket No.: __80398.P115__   <u>Patent</u>

In re the Application of: __Embree, et al.__
                                                    (inventor(s))
Application No.: __08/936,344__

Filed: __9/24/97__

For: __Memory Allocation for Real-Time Processing__
                                                    (title)

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

SIR: Transmitted herewith is an Amendment for the above application.

_____ Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established by a verified statement previously submitted.

_____ A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.

_____ No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1) Claims Remaining After Amd.		(Col. 2) Highest No. Previously Paid For	(Col. 3) Present Extra	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
					Rate	Additional Fee	Rate	Additional Fee
Total Claims	*15	Minus	**20	0	X9	$0	X18	$0
Indep. Claims	*2	Minus	***3	0	X39	$0	X78	$0
First Presentation of Multiple Dependent Claim(s)					+130	$0	+260	$0
					Total Add. Fee	$0	Total Add. Fee	$0

*   If the entry in Col. 1 is less than the entry In Col. 2, write "0" in Col. 3.

**   If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

***   If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

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on <u>September 1, 1999</u>.
                    Date of Deposit

<u>Cheri Clinkenbeard</u>
                    / Name of Person Mailing Correspondence
_____   9/1/99
                    Signature   Date

- 1 -   (LJV/cak 11/30/98)

        A check in the amount of $_____ is attached for presentation of additional claim(s).

__X__   Applicant(s) hereby Petition(s) for an Extension of Time of <u>one</u> month(s) pursuant to 37 C.F.R. § 1.136(a).

__X__   A check for $__110.00_____ is attached for processing fees under 37 C.F.R. § 1.17.

        Please charge my Deposit Account No. 02-2666 the amount of $_____.

A duplicate copy of this sheet is enclosed.

__X__   The Commissioner of Patents and Trademarks is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-2666 **(a duplicate copy of this sheet is enclosed):**

       __X__   Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of extra claims.

       __X__   Any extension or petition fees under 37 C.F.R. § 1.17.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: _Aeplember 1, A99_

Maria McCormack Sobrino

12400 Wilshire Boulevard
 Seventh Floor
Los Angeles, California 90025
(408) 720-8598

Reg. No. __31,639_____

- 2 -

FEE TRANSMITTAL FOR FY 1999

TOTAL AMOUNT OF PAYMENT ($)   110.00

Complete if Known:

Application No.	08/936,344
Filing Date	9/24/97
First Named Inventor	Embree, et al.
Group Art Unit	2747
Examiner Name	Lee, P.
Attorney Docket No.	80398.P115

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METHOD OF PAYMENT (check one)

1. [   ] The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

     Deposit Account Number   _____
     Deposit Account Name   _____

    [   ] Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2.   __X__   Payment Enclosed:
     __X__   Check
     _____   Money Order
     _____   Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
101	760	201	380	Utility application filing fee	_____
106	310	206	155	Design application filing fee	_____
107	480	207	240	Plant filing fee	_____
108	760	208	380	Reissue filing fee	_____
114	150	214	75	Provisional application filing fee	_____

                                               SUBTOTAL (1) $ 0

2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims _____	− 20** = _____	X _____	= _____
Independent Claims ____	− 3** = _____	X _____	= _____
Multiple Dependent		_____	= _____

**Or number previously paid, if greater; For Reissues, see below.

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependent claim, if not paid
109	78	209	39	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

                                               SUBTOTAL (2) $ 0

FEE CALCULATION (continued)

3. ADDITIONAL FEES

OIPE   SEP 07 1999   PATENT & TRADEMARK

Large Entity		Small Entity			
Fee Code	Fee ($)	Fee Code	Fee ($)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	_____
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	_____
139	130	139	130	Non-English specification	_____
147	2,520	147	2,520	For filing a request for reexamination	_____
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	_____
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	_____
115	110	215	55	Extension for response within first month	110.00
116	380	216	190	Extension for response within second month	_____
117	870	217	435	Extension for response within third month	_____
118	1,360	218	680	Extension for response within fourth month	_____
128	1,850	228	925	Extension for response within fifth month	_____
119	300	219	150	Notice of Appeal	_____
120	300	220	150	Filing a brief in support of an appeal	_____
121	260	221	130	Request for oral hearing	_____
138	1,510	138	1,510	Petition to institute a public use proceeding	_____
140	110	240	55	Petition to revive unavoidably abandoned application	_____
141	1,210	241	605	Petition to revive unintentionally abandoned application	_____
142	1,210	242	605	Utility issue fee (or reissue)	_____
143	430	243	215	Design issue fee	_____
144	580	244	290	Plant issue fee	_____
122	130	122	130	Petitions to the Commissioner	_____
123	50	123	50	Petitions related to provisional applications	_____
126	240	126	240	Submission of Information Disclosure Stmt	_____
581	40	581	40	Recording each patent assignment per property (times number of properties)	_____
146	760	246	380	For filing a submission after final rejection (see 37 CFR 1.129(a))	_____
149	760	249	380	For each additional invention to be examined (see 37 CFR 1.129(a))	_____

Other fee (specify) _____ _____

Other fee (specify) _____ _____

SUBTOTAL (3) $ 110.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Maria McCormack Sobrino

Signature *Maria McCormack Sobrino* **Date** *September 1, 1999*

Reg. Number 31,639 **Deposit Account User ID** 02-2666

<u>FIRST CLASS CERTIFICATE OF MAILING</u>

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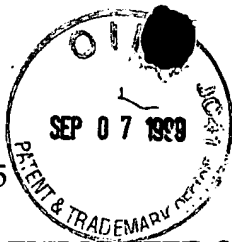
on September 1, 1999
<div align="center">Date of Deposit</div>

Cheri Clinkenbeard
<div align="center">Name of Person Mailing Correspondence</div>

Clinkenbeard 9/1/99
Signature | Date

80398.P115

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
)   Art Unit: 2747
   Paul Michael Embree, et al.   )
)
Serial No.: 08/936,344   )   Examiner: Ping W. Lee
)
Filed: September 24,1 997   )
)
For: Memory Allocation for Real-   )
       Time Processing   )

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ap3/99

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AMENDMENT

BOX NON-FEE AMENDMENT
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

    In response to the Office Action mailed May 14, 1999, Applicant respectfully requests the Examiner to enter the following amendments and consider the following remarks:

IN THE SPECIFICATION:

    On page 4, line 15, please insert:

    --Figure 6 is a flowchart illustrating a process to read the audio samples and play back the audio data according to one embodiment of the invention.--

IN THE ABSTRACT OF THE DISCLOSURE:

    Please replace the Abstract of the disclosure by the following:

1